

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MARCUS D. TORRY,)	
)	
Plaintiff,)	No. 19-CV-1340
)	
v.)	Judge Jorge L. Alonso
)	
RUSSELL ZAGORSKI, KRISTA CHASEN,)	Magistrate Judge Jeffrey T. Gilbert
BRIAN LACEY, POITR ZDRZALKA,)	
KELLY MONACO, VASILIOS GATSIOS,)	
JOSE DELEON, RAFAEL ROBLEDO, JR.,)	
CITY OF CHICAGO, and UNKNOWN)	
OFFICERS OF THE CHICAGO POLICE)	
DEPARTMENT,)	
)	
Defendants.)	

JUDGMENT IN A CIVIL ACTION

MARCUS D. TORRY, by and through his attorney Irene K. Dymkar, having accepted the Rule 68 Offer of Judgment made by defendants, RUSSELL ZAGORSKI, KRISTA CHASEN, and CITY OF CHICAGO, filed as Documents 60 and 60-1, respectively in this action, the Court hereby orders:

- 1) That Judgment is entered in favor of MARCUS D. TORRY, and against defendants RUSSELL ZAGORSKI, KRISTA CHASEN, and CITY OF CHICAGO, pursuant to the terms of the offer of judgment and the acceptance thereof, in the amount of **twenty-five thousand and one dollar and no/100 cents (\$25,001.00)**, not including attorneys' fees and costs, and
- 2) That the Court shall determine the amount of reasonable attorneys' fees and costs, not to exceed **twenty-four thousand and nine-hundred and ninety-nine dollars and no/100 cents (\$24,999.00)**, pursuant to the terms of the offer of judgment

and acceptance thereof, to plaintiff and his counsel, accrued through October 7, 2019, upon the petition of plaintiff's counsel.

- 3) The Rule 68 Offer of Judgment is conditioned upon Plaintiff accepting the offer of judgment against Defendants Russell Zagorski and Krista Chasen, and the City of Chicago, which will be payable solely by Defendant City of Chicago, and it is further contingent on Plaintiff not pursuing claims against Defendants Russel Zagorski, Krista Chasen, Brian Lacey, Poitr Zdrzalka, Kelly Monaco, Vasilios Gatsios, Jose Deleon, Rafael Robledo, Jr., and the City of Chicago, and any other current or former employees or agents of the City of Chicago, arising from or related to the incident or injuries alleged in Plaintiff's Complaint in 19CV1340 or any amendment thereof.
- 4) Payment of this Judgment will act to release and discharge Defendants Russell Zagorski, Krista Chasen, Brian Lacey, Poitr Zdrzalka, Kelly Monaco, Vasilios Gatsios, Jose Deleon, Rafael Robledo, Jr., and the City of Chicago, and any other current or former employees or agents of the City of Chicago, their successors or assigns; and all past and present officials, employees, representatives and agents of Defendant City of Chicago, or any agency thereof, from any and all claims that were or could have been alleged by Plaintiff in his Complaint 19CV1340 or any amendment thereof with prejudice.
- 5) This Judgment is entered by agreement of the parties and is not to be construed either that the Defendants are liable in this action, or that the Plaintiff has suffered any damages. The parties agreed that Plaintiff shall not be considered to be a prevailing party in this matter.

- 6) Plaintiff further agrees not to seek payment of the judgment or attorneys' fees other than from the City of Chicago as the indemnitor pursuant to 745 ILCS 10/9-102.

Date: 1/6/2020

A handwritten signature in dark ink, consisting of a large, stylized 'J' followed by 'L. Alonso'.

Jorge L. Alonso
United States District Judge